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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 342nd meeting
Held at Headquarters, New York, on Wednesday, 16 May 2012, at 4.30 p.m.

Chair: Mr. Núñez Mosquera (Vice-Chair) ..... (Cuba)

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In the absence of Mr. Diallo (Senegal), Mr. Núñez Mosquera (Cuba), Vice-Chair, took the Chair.

The meeting was called to order at 4.35 p.m.

Adoption of the agenda

1. *The agenda was adopted.*

The situation in the Occupied Palestinian Territory, including East Jerusalem, and developments in the political process (*continued*)

2. **Mr. Shtayyeh** (Minister in charge of the Palestinian Economic Centre for Development and Reconstruction) said that, at a time when the world faced many political issues that overshadowed the peace process, including a new Israeli coalition that had no platform on Palestine, it should be remembered that the peace process had been going on for 21 years. That process had not accomplished its mission because the occupation was ongoing and the Palestinian Authority had not been able to establish an independent State.

3. One of the problems faced in the peace process was the different terms of reference being applied. The Palestinians were working based on international law whereas the Israelis were switching back and forth from the reality on the ground to the road map or the Arab peace initiative, in a selective fashion that best suited them. After the departures of Senator Mitchell and Mr. Ross, the process had lacked a shepherd to guide it in the right direction. Nor was there a time frame for an end to the final status negotiations. Moreover, instead of contributing to the other aspect necessary in a negotiation, confidence-building measures, Israel was destroying confidence through its land expropriations, arrests, incursions, colonization, the walling of Jerusalem and the siege of Gaza.

4. The number of settlers in the Palestinian territories had risen from 190,000, when the process began in Madrid in 1991, to 531,000, living in 180 settlements and another 100 of what Israel called illegal outposts. It must be noted that for the Palestinians, all settlements were illegal. Those figures showed how, during the peace process, Israel had continued with its colonization process. Indeed, a possible future prime minister of Israel, Foreign Minister Lieberman, lived in such a settlement, a fact that complicated the political scene.

5. Land confiscation and settlements lay at the heart of the true challenge, which was not really about land but rather the erosion of the two-State solution. Most people outside Israel and even in some Israeli circles agreed that a two-State solution would offer a win-win situation. Israel's actions, however, were making such an outcome less likely as it retained control over territories it had held since 1967. Israel should freeze all settlement activity and stop undermining the two-State solution by creating new realities on the ground.

6. What Israel was offering in recent talks depended, according to its negotiators, on demographic realities and on security. According to Israel, any border would depend on the actual locations of Jewish settlers. Furthermore, a security presence would be necessary in the Jordan Valley. Those claims were made to ensure control of territory and of the productive agricultural corridor along the river and would give Israel 45 per cent of the West Bank, with the remainder for the Palestinians found in 11 isolated pockets of land.

7. President Abbas had written to Prime Minister Netanyahu, in a letter whose main message was that the status quo imposed by Israel was unacceptable. Agreements had not been implemented, Palestinian prisoners were still being detained and Israeli practices were moving in the direction of a one-State solution in which Palestinians would form a majority, governed by a minority Israeli population in a form of apartheid. The President had stressed that the Palestinians were committed to peace talks and a two-State solution.

8. Although according to international agreements the Palestinian Authority had been established as an interim body, and should have governed all Palestinian territories after 4 May 1999, it had no control over its own resources and its domain was limited to Area A: 18 per cent of the total area of the West Bank. It was an Authority without authority; that situation was untenable.

9. In his reply to the letter from President Abbas, Prime Minister Netanyahu referred to preconditions set by the Palestinians and said that he was ready for unconditional talks and that he supported a two-State solution, without reference to the 1967 border. Despite the slightly positive tone, the response lacked content.

10. He asked where the Palestinians were to go in the future. The Palestinian leadership had applied for membership in the United Nations, but that application was still pending. Israel was maintaining the status quo, the illusion of a peace process, while continuing with its colonization programme. The international community, in particular the Quartet, must change its

approach and, instead of convincing Israel to take steps, it must bring pressure to bear to have it end the occupation.

11. There was no human cost to Israel from the occupation, because the Palestinians wanted to solve the issue through peaceful means and were not demonstrating incessantly against it. Indeed, the Israelis were profiting from the territories as could be seen from the balance of trade, the water consumption figures and such specific areas as the electricity and cement sectors.

12. Palestine not only wanted to meet its own needs, it was ready to do so. Both the United Nations and the World Bank had published reports that stated that Palestine was ready for independence. There was no lack of institutions and, through a bottom-to-top approach, long-standing municipalities such as Nablus, Hebron and Jerusalem had been prepared to accommodate independence. Palestine also had a vibrant private sector and civil society.

13. Talks and other contacts would be necessary between the Palestinians and the Israelis to coordinate many aspects of daily life, and it was worth noting that both sides would benefit from successful negotiations. President Abbas would be holding talks with the Arab leadership to present the Israeli reply to his letter to Mr. Netanyahu. Talks on the world economic situation were being followed owing to the effect on Palestine's economy of the international crisis and the siege on Gaza and Jerusalem. Palestinian reconciliation was continuing and, through talks and negotiations, there would be a unified Palestinian Government representing both the West Bank and Gaza. Regarding reconciliation, at a time when the democratization of the Arab world was in the headlines, the international community must help Palestine to conduct elections.

14. Another area where the Committee's attention was required was Jerusalem. The nature of the walled city, the former pillar of the Palestinian economy and religion and the centre also for Christianity and Judaism, was being altered, eroding accessibility for Palestinian Muslims and Christians. Only those holding permits from the Israeli governor could enter the city.

15. The Committee must also focus on what was known as Area C, which constituted 62 per cent of the total area of the West Bank. There, Israeli settlers outnumbered Palestinians three to one and control of water, land and natural resources was in Israeli hands. Despite foreign backing, Palestinian development projects in that area had been stalled.

16. **The Chair** said that by altering the demographic status of the Occupied Palestinian Territory, the Israeli Government was eroding prospects for a two-State solution based on the pre-1967 borders. In addition, Israel must be held accountable for its violations of international law.

17. Palestinian reconciliation, the slow progress in the application to become a United Nations member State, the fiscal situation and the cost of the occupation were all of concern to the Committee.

18. The Committee was following the situation of Palestinian political prisoners and called on Israel to comply with international humanitarian and human rights law. Its international efforts would focus on empowering Palestinian women and children and enhancing the role of governmental and non-governmental actors in the establishment of an independent State of Palestine.

19. **Mr. Yudha** (Indonesia) asked what steps were being taken to rejuvenate the peace process in the light of the developments in the region.

20. **Mr. Cisse** (Senegal) commended the patience and perseverance of the Palestinian people, despite the suffering they had endured. However, there were limits to their patience, particularly if the calls of the Palestinian people for their rights to be recognized continued to be ignored by the international community. He questioned whether the course of action currently pursued by the Palestinian Authority was the correct one. Lastly, his delegation awaited the outcome of the talks between President Abbas and the Arab countries.

21. **Mr. Al Bayati** (Iraq) said that the situation in the Occupied Palestinian Territory and the erosion of the two-State solution had been under discussion for many years. He asked whether the Palestinian people should consider adopting a new course of action and what avenues were open to them should the status quo continue. Furthermore, if the Palestinian Authority no longer intended to submit a request to the General Assembly for full membership of the United Nations, he would like to know what other options were open to them.

22. **Mr. Shtayyeh** (Minister in charge of the Palestinian Economic Centre for Development and Reconstruction) said that the Palestinian Authority had adopted a

different approach, evinced by the application for full membership of the United Nations submitted in September 2011. However, the General Assembly could not offer full membership; all such applications had to go through the Security Council and a recommendation must be adopted with no vetoes and at least nine votes in favour. Having been told that their application would be vetoed and in view of the pressure that had been brought to bear by super-Powers on other members of the Security Council to vote against the motion to admit Palestine to the United Nations, the Palestinian Authority had decided to wait for a more politically opportune moment to make their case. However, the application was still pending and the granting of membership in the United Nations Educational, Scientific and Cultural Organization (UNESCO) had been a major step forward in gaining international recognition for the cause of the Palestinian people. The possibility of a General Assembly resolution was always an option that was open to the Palestinian Authority. Such a resolution would allow the international community to make its voice heard and to condemn the occupation of not only the Occupied Palestinian Territory but also the State of Palestine. However, such a step would only be taken after consultations with the Arab and European leaders.

23. The 1965 revolution had taught the Palestinian people that where there was a will, there was a way. There was no substitute for negotiations and the Palestinian Authority had no intention of abandoning them; however, it was essential for discussions to be meaningful. The Palestinian Authority was also pursuing various courses of action, including a policy of reconciliation with the different Palestinian political factions. It was hoped that the upcoming elections in Gaza and the West Bank would produce a more positive leadership, open to negotiations. The Palestinian Authority was also encouraging a popular movement of passive resistance in an attempt to increase the cost of the occupation to Israel on all fronts. Moreover, the Palestinian Authority had called on individual States to recognize bilaterally the State of Palestine on the basis of the pre-1967 borders, which would send a message of hope to the Palestinian people that the international community was on the side of peace and justice. If Israel were to accept the two-State solution, it would in fact legitimize the Jewish State rather than isolate it. The Arab Peace Initiative, adopted by the Council of the League of Arab States and the Organization of Islamic Cooperation, proved that the Arab and Muslim countries were ready to recognize Israel if it accepted that solution and ended the suffering of the Palestinian refugees. The Palestinian representatives to the United Nations were also working hard to ensure that international law was enforced with regard to Israel.

24. He agreed that patience had its limits; negotiations had been under way for over 21 years and the Palestinian people could not afford to continue with the status quo. The Palestinian Authority was thus changing its approach and had called on the international community to do the same, so that the occupation would be financially and politically costly for Israel.

25. **Mr. Müftüoğlu** (Turkey) reaffirmed his country's strong support for a just, comprehensive and lasting peace based on the two-State solution. It upheld the inalienable rights of the Palestinian people, including international recognition and full membership to the United Nations of an independent Palestine based on the pre-1967 borders and with East Jerusalem as its capital. His delegation was encouraged by the inter-Palestinian reconciliation efforts.

26. **Mr. Mansour** (Observer for Palestine) welcomed the efforts of the Committee to advance the cause of the Palestinian people. In particular the realignment of the Committee's programme of work to correspond to the needs of the Palestinian people, particularly Palestinian prisoners, and to raise awareness of their suffering around the world, was greatly appreciated. The educational role of the Committee was of particular importance, and in an effort to reinforce that the Committee had decided to invite Palestinians and their leaders, particularly those at the heart of the negotiations, to address the Committee and share their experiences.

27. The Palestinian people were resilient and creative, despite the hardships they had suffered. The recent success of the hunger strike staged by Palestinian prisoners in Israeli detention centres had marked an important victory and had shown that by using peaceful means Israel could be brought into compliance with international law, giving rise to hope that such success could be extended to other areas, for instance the question of Israeli settlements.

The meeting rose at 5.55 p.m.